

Article - Environment

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§15-819.

(a) When the interest of a permittee in any uncompleted mining operation is sold, leased, assigned, or otherwise disposed of, the Department may release the first permittee from all liabilities imposed upon him by this subtitle with reference to the operation and transfer the permit to the successor in interest, if both the permittee and the successor in interest have complied with the requirements of this subtitle and the successor in interest assumes the duties and responsibilities of the first permittee with reference to reclamation of the land according to the authorized mining and reclamation plan and posts suitable bond or other security required by § 15-823 of this subtitle.

(b) The successor in interest shall pay a \$500 fee on filing a transfer of permit.

(c) The Department shall approve and grant the permit transfer as expeditiously as possible but not later than 30 days after the application forms or any supplemental information required are filed with the Department.

(d) The Department may deny the permit transfer on finding:

(1) That either permittee has an uncorrected violation of the type listed in § 15-810(b)(7) of this subtitle;

(2) Failure of the successor permittee to submit an adequate mining and reclamation plan in light of conditions existing at the time of the modification; or

(3) Failure of the successor permittee to pay the transfer fee.

(e) If the Department denies an application to transfer a permit, the Department shall give the permittee and the successor in interest written notice of:

(1) The Department's determination;

(2) Any changes in the application which would make it acceptable;
and

(3) The right of the permittee and the successor in interest to a hearing at a stated time and place.

(f) The date for the hearing may not be less than 15 days nor more than 30 days after the date of the notice unless the parties mutually agree on another date.

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